

2009 FEB 11 AM 10:46

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: 1655
Jae-Hong KIM	)	Examiner: Melenie Lee McCormick
Application No.: 10/551,820	)	Confirmation No.: 3987
Filed: February 10, 2009	)	
For: NOVEL MICROORGANISM	)	
PEDIOCOCCUS PENTOSACEUS	)	
EROM101, HAVING IMMUNE	)	
ENHANCEMENT, ANTICANCER	)	
AND ANTIMICROBIAL ACTIVITIES	)	

**REQUEST FOR REFUND DUE TO SMALL ENTITY STATUS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.26, Applicant respectfully requests a refund in the amount of \$825.00 in connection with the above-identified application based on the fact that Applicant qualifies for small entity status.

Applicant electronically filed a Notice of Appeal and a Petition for Extension of Time on December 9, 2008 in the above-identified application. Applicant's representative inadvertently requested that their credit card be charged in the amount of \$1110.00 (large entity fee) for the Petition for Extension of Time and \$540.00 (large entity fee) for the Notice of Appeal. The correct amount that should have been charged to Applicant's representative's credit card should have been \$555 (small entity fee) for the Petition for Extension of Time, and \$270.00 (small entity fee) for the Notice of Appeal.

Applicant therefore respectfully request that a refund in the amount of \$825.00 be refunded to Applicant's representative credit card.

If there are any questions relating to this Request, the United States Patent and Trademark Office is requested to contact the undersigned.

Respectfully submitted,

Buchanan Ingersoll & Rooney PC

Date: February 10, 2009

By: 

Susan M. Dadio  
Registration No. 40,373

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

# Electronic Patent Application Fee Transmittal

Application Number:

10551820

Filing Date:

10-Feb-2006

02/13/2009 SDIRETA1 00000007 10551820

01 FC:2401

270.00 OP

02 FC:2253

555.00 OP

Title of Invention:

Composition for preventing or treating allergic disease using black rice extract and its therapeutic use

Refund Ref:  
02/13/2009

0030066684

Credit Card Refund Totals: \$825.00  
First Named Inventor/Applicant Name:

Jae-Hong Kim

Am Exp Filer: XXXXXXXXXXXX1009

Susan M. Dadio/Rebecca Brimmer

Attorney Docket Number:

012679-114

Filed as Large Entity

## U.S. National Stage under 35 USC 371 Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of appeal	1401	1	540	540
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Adjustment date: 02/13/2009 SDIRETA1  
12/10/2008 INTEFSW 00004784 10551820  
01 FC:1253 -1110.00 OP  
02 FC:1401 -540.00 OP

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	1253	1	1110	1110
Miscellaneous:				
Total in USD (\$)				1650